Minutes August 3, 1998

E019638 Jean Barthelemy et al. v. The Flood Control District of the County of Orange

Appellants' petition for rehearing is denied.

E019994 People v. Stanley D. Robins

Opinion

Judgment affirmed.

Hollenhorst, J.

We concur: Ramirez, P.J., Ward, J.

E020111 People v. David C. Cobb

Opinion

Judgment affirmed. Hollenhorst, J.

We concur: Ramirez, P.J., Ward, J.

E020015 People v. Deborah L. Forbes

Opinion

Judgment affirmed.

Ward, J.

We concur: McKinster, Acting P.J., Gaut, J.

Minutes August 4, 1998

E020517 People v. Randall L. Clark

Opinion

Judgment affirmed. Ramirez, P.J.

We concur: Ward, J., Gaut, J.

E021464 Amanda Mooney etc., et al. v. County of San Bernardino et al

Opinion

Judgment affirmed. Hollenhorst, Acting P.J.

We concur: Richli, J., Ward, J.

E021256 People v. Robert Kirby

Petition for rehearing denied.

E020537 People v. Ted Dean Pratt

Opinion

Judgment affirmed in part; reversed in part. McKinster, J.

We concur: Ramirez, P.J., Ward, J.

Minutes August 4, 1998

Court convened at 9:30A

Panel 1
Present:
Ramirez, P.J.
Hollenhorst, J.
Ward, J.

Ann Dee Smith, Deputy Clerk

E019448 People v. Daniel R. Jauregui

Merits. Cause called and Carl Fabian, Esq., argued for appellant. Robert Foster, Deputy Attorney General argued for respondent. Cause submitted.

Court recessed.

Court reconvened.

Panel 1a Present: Ramirez, P.J. Hollenhorst, J. Richli, J. Ann Dee Smith, Deputy Clerk

E019472 People v. Baldemar Aguirre

Counsel having previously waived oral argument in the above entitled cause in accordance with the provisions of a notice mailed to counsel, the calendar date heretofore set is vacated and cause submitted.

E020115 People v. Michael Serrano

Counsel having previously waived oral argument in the above entitled cause in accordance with the provisions of a notice mailed to counsel, the calendar date heretofore set is vacated and cause submitted.

Minutes August 4, 1998, cont'd.

E020191 People v. Mario E. Pinto et al.

Counsel having previously waived oral argument in the above entitled cause in accordance with the provisions of a notice mailed to counsel, the calendar date heretofore set is vacated and cause submitted.

E021129 People v. Antonio C. Gutierrez

Counsel having previously waived oral argument in the above entitled cause in accordance with the provisions of a notice mailed to counsel, the calendar date heretofore set is vacated and cause submitted.

E020519 People v. Manuel S. Magallon

Counsel having previously waived oral argument in the above entitled cause in accordance with the provisions of a notice mailed to counsel, the calendar date heretofore set is vacated and cause submitted.

E021182 People v. Ronald W. Rudolph

Merits. Cause called and Grover D. Merritt, Deputy District, argued for appellant. Diane Nichols, Esq., argued for respondent. Cause submitted.

E020719 People v. Bryan Baldridge

Counsel having previously waived oral argument in the above entitled cause in accordance with the provisions of a notice mailed to counsel, the calendar date heretofore set is vacated and cause submitted.

E021101 People v. Eddie L. Ramos

Counsel having previously waived oral argument in the above entitled cause in accordance with the provisions of a notice mailed to counsel, the calendar date heretofore set is vacated and cause submitted.

E018614 Tudor Ranch, Inc. v. State Comp. Ins. Fund

Merits. Cause called and Esteban G. Gallegos, Esq., argued for appellant. Stephanie Williams, Esq. respondent. Cause submitted.

Minutes August 4, 1998, cont'd.

E020163 Maryann Carrisales v. State of California et al.

Counsel having previously waived oral argument in the above entitled cause in accordance with the provisions of a notice mailed to counsel, the calendar date heretofore set is vacated and cause submitted.

Court recessed.

Court reconvened at 1:30P

Panel 2 Ramirez, P.J. McKinster, J. Gaut, J.

Paula Garcia, Deputy Clerk

E020283 Morley R. Williams et al. v. County of Riverside et al.

Counsel having previously waived oral argument in the above entitled cause in accordance with the provisions of a notice mailed to counsel, the calendar date heretofore set is vacated and cause submitted.

Panel 2a Present: McKinster, Acting P.J. Ward, J. Gaut, J. Paula Garcia, Deputy Clerk

E020421 People v. Ann M. Stamper

Merits. Cause called and Betty A. Haight, Esq., argued for appellant. Marilyn L. George, Deputy Attorney General, argued for respondent. Cause submitted.

E018819 People v. Travon E. Johnson et al.

Merits. Cause called and Frieda J. Molnar, Esq., argued for appellant, Jacques Davon Hillsman. Vincent L. Rabago, Deputy Attorney General, argued for respondent. Counsel for Travon Edward Johnson having previously waived oral argument in accordance with with the provisions of a notice mailed to counsel, cause submitted.

Minutes August 4, 1998, cont'd.

E020176 People v. Dante H. Green

Merits. Cause called and George L. Schraer, Esq., argued for appellant. Frederick B. Clark, Deputy Attorney General, argued for respondent. Cause submitted.

E020889 People v. Larry Mahaffey

Merits. Cause called and Susan S. Bauguess, Esq., argued for appellant. Marilyn L. George, Deputy Attorney General, argued for respondent. Cause submitted.

E018904 Joseph A. Parks et al. v. Austin J. McGreal

Merits. Cause called and Austin McGreal, in propria persona, argued for appellant. No appearance by respondent. Cause submitted.

E019238 Austin J. McGreal v. Bryant C. MacDonald

Merits. Cause called and Austin McGreal, in propria persona, argued for appellant. Bryant C. MacDonald, in propria persona, argued for respondent. Cause submitted.

E019564 Jan Henkes et al. v. Cabrinha Aircraft Corp. et al.

Merits. Cause called and Mary G. Biggs, Esq., argued for appellant. No appearance by respondent. Cause submitted.

E019783 Ford Motor Company v. Howard Savell

Counsel having previously waived oral argument in the above entitled cause in accordance with the provisions of a notice mailed to counsel, the calendar date heretofore set is vacated and cause submitted.

E016465 Marnatt Constr. Co., Inc. et al. v. Wirksworth Corp. et al.

Merits. Cause called and R. Brian Oxman, Esq., argued for appellant.

Michael G. Kerbs, Esq., argued for respondents Adel Elhendy et al.; No appearance for respondent Wirkswirth Corporation. Cause submitted.

Court adjourned.

Minutes August 5, 1998

E020557 People v. Lawrence B. Lubers

Opinion

Judgment affirmed. Hollenhorst, J.

We concur: Ramirez, P.J., Ward, J.

E019849 People v. Daniel R. Chavez

Opinion

Judgment affirmed. Hollenhorst, J.

We concur: Ramirez, P.J., Ward, J.

E19298 Susanna I. Espinoza v. San Antonio Community Hospital et al.

Opinion

Judgment affirmed.

Ward, J.

We concur: Richli, Acting P.J., Gaut, J.

Minutes August 5, 1998

Court convened at 9:30A

Panel 3

Ramirez, P.J.

McKinster, J.

Richli, J.

Helen J. Bradberry, Deputy Clerk

E016152 Union Oil Co. v. Riverside Internat'l Raceway et al.

E018785* RIR Assoc. v. Union Oil Co. of Ca. E020428* Union Oil Co. v. RIR Assoc. et al.

*consolidated

Counsel having previously waived oral argument in the above entitled cause in accordance with the provisions of a notice mailed to counsel, the calendar date heretofore set is vacated and cause is submitted.

Panel 3a

Present:

Ramirez, P.J.

Hollenhorst, J.

McKinster, J.

Helen J. Bradberry, Deputy Clerk

E018288 Luz M. Prieto, etc. et al. v. Louis D. Menell et al.

Counsel having previously waived oral argument in the above entitled cause in accordance with the provisions of a notice mailed to counsel, the calendar date heretofore set is vacated and cause is submitted.

E019624 Rosalie Chapman v. Shaklee Corporation

Merits. Cause called and Joel R. Bennett, Esq., argued for appellant.

Todd A. Daley, Esq. argued for respondent. Cause Submitted.

E018949 Dinesh H. Patel et al. v. E-Z Petroleum Marketing Co. of Ca.

Merits. Cause called and Sunil A. Brahmbhatt, Esq., argued for appellant. Stephen L. Marsh, Esq., argued for Respondent. Cause Submitted.

Minutes August 5, 1998, cont'd.

E021154 Michelle J. Smesrud v. Jimmy R. Maxie

Merits. Cause called and Mary A. Roth, Esq., no appearance on behalf of appellant. C. Patrick Milligan, Esq., waived on behalf of Respondent. Cause submitted.

E018478 Kyung Park v. Mazda Motor Corp. et al.

Merits. Cause called and Steven C. Kim, Esq., argued for appellant Han Kook Motors, Inc. No appearance on behalf of appellants Kyung Park et al., Anthony E. Sonnett, Esq., argued for Respondents Mazda Motor Corp. et al.. Cause Submitted.

Court adjourned.

Court reconvened at 1:30P

Panel 4b

Present:

Hollenhorst, Acting P.J.

Richli, J.

Ward, J.

Helen J. Bradberry, Deputy Clerk

E018541 Farfura Ranch et al. v. Imperial Irrigation Dist. E019550 * Farfura Ranch et al. v. Imperial Irrigation Dist.

*consolidated.

Merits. Cause called and Jean Pierre Nogues, Esq., argued for appellants. Orlando B. Foote, Esq., argued for respondent. Cause submitted.

Court recessed.

Court reconvened.

Panel 4a

Present:

Richli, Acting P.J.

Ward, J.

Gaut, J.

Helen J. Bradberry, Deputy Clerk

Minutes August 5, 1998, cont'd.

E017791 S.E. Cal. Asso. of 7th Day Advent. v. Wandagene Townsend et

Merits. Cause called and Stephen W. Berger, Esq., argued for appellants. William R. DeWolfe, Esq., argued for respondent. Cause submitted.

E019044 Diamond Benefits Life Ins. Co. v. Raymond T. Troll

Counsel having previously waived oral argument in the above entitled cause in accordance with the provisions of a notice mailed to counsel, the calendar date heretofore set is vacated and cause is submitted.

E019298 Susanna I. Espinoza v. San Antonio Community Hospital et al.

Counsel having previously waived oral argument in the above entitled cause in accordance with the provisions of a notice mailed to counsel, the calendar date heretofore set is vacated and cause is submitted.

E019923 World Electronic, Inc. v. S.B. Uni. School Dist.

Merits. Cause called and Marla B. Hendrickson, Esq., argued for Appellants. Martin E. Keller, Esq., argued for respondent D.K. Frech Corp. and Noel E. MacAulay, Esq., appeared, but did not argue for respondents PCH Architects et al. Cause submitted.

E020026 Ernest Espinosa v. City of Ontario, et al.

Merits. Cause called and John C. McCarthy, Esq., argued for appellant. Steve A. Filarsky, Esq., argued for respondent. Cause submitted.

Court adjourned.

Minutes August 6, 1998

E020283 Morley R. Williams et al. v. County of Riverside et al.

Opinion

Judgment affirmed.

Gaut, J.

We concur: Ramirez, P.J., McKinster, J.

E019783 Ford Motor Company v. Howard Savell

Opinion

Judgment affirmed.

Gaut, J.

We concur: McKinster, Acting P.J., Ward, J.

E020995 People v. Gilbert R. Garcia

Opinion

Judgment affirmed.

Ramirez, P.J.

We concur: McKinster, Acting P.J., Ward, J.

E021000 People v. Jeff Frazier

Opinion

Judgment affirmed. Hollenhorst, Acting P.J.

We concur: McKinster, J., Gaut, J.

E018165 People v. John Norris Shupe

Opinion

Judgment reversed. McKinster, Acting P.J.

We concur: Richli, J., Gaut, J.

E020446 People v. Randall Don Edison

Opinion

Judgment affirmed.

McKinster, J.

We concur: Ramirez, P.J., Ward, J.

Minutes August 7, 1998

E020029 Northwest Pipe & Casing, Inc. v. Calfon Construction Company et al. Respondents' petition for rehearing denied.

Minutes August 10, 1998

E020421 People v. Ann M. Stamper

Opinion

Judgment affirmed.

Gaut, J.

We concur: McKinster, Acting P.J., Ward, J.

E020359 People v. Roy L. Shivers

Opinion

Judgment affirmed.

Hollenhorst, J.

We concur: McKinster, Acting P.J., Gaut, J.

E019564 Henkes et al. v. Cabrinha Aircraft Corporation et al.

Opinion

Judgment reversed with directions.

Gaut, J.

We concur: McKinster, Acting P.J., Ward, J.

E019849 People v. Daniel Ray Chavez

Opinion

Judgment affirmed. Hollenhorst, J.

M. D

We concur: Ramirez, P.J., Ward, J.

Minutes August 11, 1998

E023130* Teresa Bojorquez, et al., v. Cal Nev Pipeline Company, et al.

E023131* Victor Aguilar, et al., v. Cal Nev Pipeline Company, et al.

*Appeals consolidated for all purposes; E023130 is designated the master file.

E019624 Rosalie Chapman v. Shaklee Corporation

Opinion

Judgment affirmed.

Hollenhorst, J.

We concur: Ramirez, P.J., McKinster, J.

E018614 Tudor Ranch, Inc. v. State Comp. Ins. Fund

Opinion

Judgment affirmed.

Richli, J.

We concur: Ramirez, P.J., Hollenhorst, J.

E020115 The People v. Michael Olivas Serranco

Opinion

Judgment affirmed.

Richli, J.

We concur: Ramirez, P.J., Hollenhorst, J.

E019472 People v. Baldemar Aguirre

Opinion

Judgment affirmed.

Richli, J.

We concur: Ramirez, P.J., Hollenhorst, J.

E020047 People v. Gilberto Jimenez

Opinion

Judgment affirmed. Hollenhorst, Acting P.J.

We concur: McKinster, J., Gaut, J.

Minutes August 12, 1998

E020889 People v. Larry Mahaffey

Opinion

Judgment affirmed.

Ward, J.

We concur: McKinster, Acting P.J., Gaut, J.

E020498 People v. Juan C. Perez

Opinion

Judgment affirmed.

Ramirez, P.J.

We concur: McKinster, J., Ward, J.

E018819 People v. Travon E. Johnson et al.

Opinion

Judgment affirmed.

Ward, J.

We concur: McKinster, Acting P.J., Gaut, J.

E021129 People v. Antonio C. Gutierrez

Opinion

Opinion

Opinion

Judgment affirmed.

Richli, J.

We concur: Ramirez, P.J., Hollenhorst, J.

E020119* People v. Timothy H. McClune E020225* People v. William Wiggins

Judgment affirmed.

Ramirez, P.J.

I concur: Ward, J.

I dissent: McKinster, J.

*Consolidated

E016152* Union Oil Co. v. Riverside Internat'l Raceway et al.

E018785* RIR Associates v. Union Oil Company of California

E020428* RIR Associates v. Union Oil Company of California

Judgment affirmed.

Ramirez, P.J.

We concur: McKinster, J., Richli, J.

*Consolidated

E021127 People v. Mark C. Mendez

Opinion

Judgment affirmed.

Richli, J.

We concur: Ramirez, P.J., Ward, J.

Minutes August 13, 1998

E019923 World Electronic, Inc. v. S.B. Uni. School Dist.

Opinion

Judgment affirmed.

Ward, J.

We concur: Richli, Acting P. J., Gaut, J.

E020702 People v. Charles R. Mapes

Opinion

Judgment affirmed. Hollenhorst, J.

We concur: Ramirez, P.J., Ward, J.

E017791 S.E. Cal. Asso. of 7th Day Advent. v.

Wandagene Townsend et al.,

Opinion

Judgment affirmed.

Ward, J.

We concur: Richli, Acting P.J., Gaut, J.

Correction to Minutes of July 22, 1998:

Corrected to add:

Court convened at 9:30am

Present:

Hollenhorst, Acting Presiding Justice

Richli, J.

Gaut, J.

Madeline Mozee, Deputy Clerk

E017603 People v. Martin Ware et al.,

Merits. Cause called and Pearl G. Mann, Esq., argued for appellant Godina; Robert E. Boyce, Esq., argued for appellant Ware: Pat Zaharopoulos, Deputy Attorney General, argued for respondent. Submission deferred for one week, pending receipt of stipulation from parties enlarging court's jurisdiction. Matter to be submitted one week from this date.

Court recessed.

Opinion

Court of Appeal Fourth District, Division 2 San Bernardino, California

Minutes August 14, 1998

E020163 Maryann Carrisales v. State of California et al. **Opinion** Judgment affirmed in part, reversed in part. Richli, J. We concur: Ramirez, P.J., Hollenhorst, J. E020176 People v. Dante H. Green **Opinion** Judgment affirmed. Ward, J. We concur: McKinster, Acting P.J., Gaut, J. E017603 **Opinion** People v. Manuel J. Godina et al. Judgments affirmed; sentence modified as to defendant Godina. Hollenhorst, Acting P.J. We concur: Richli, J., Gaut, J. E020719 People v. Bryan Baldridge **Opinion** Judgment affirmed and remanded with directions. Ramirez, P.J. We concur: Hollenhorst, J., Richli, J. E018541 Farfura Ranch et al. v. Imperial Irrigation Dist. **Opinion** E019550 * Farfura Ranch et al. v. Imperial Irrigation Dist. Judgment Reversed. Ward, J. We concur: Hollenhorst, Acting P.J., Richli, J. *Consolidated. E021101 People v. Eddie Lalo Ramos **Opinion** Judgment affirmed. Ramirez, P.J. We concur: Hollenhorst, J. Richli, J.

Kyung Park et al. v. Mazda Motor Corporation et al.

E018478

Judgment affirmed. Ramirez, P.J.

We concur: Hollenhorst, J., McKinster J.

Minutes August 17, 1998

E019044 Diamond Benefits Life Ins. Co. v. Raymond T. Troll

Opinion

Judgment modified and affirmed.

Ward, J.

We concur: Richli, Acting P.J., Gaut, J.

E018904 Joseph A. Parks et al. v. Austin J. McGreal

Opinion

Judgment affirmed.

Gaut, J.

We concur: McKinster, Acting P.J., Ward, J.

E021154 Michelle J. Smesrud v. Jimmy R. Maxey

Opinion

Judgment affirmed.

E021155* County of San Bernardino v. Jimmy R. Maxey

Judgment affirmed.

McKinster, J.

We concur: Ramirez, P.J., Hollenhorst, J.

*CONSOLIDATED

E016465 Marnatt Construction Co. Inc., et al. v. Premier Homes et al.

Opinion

Judgment affirmed.

Ward, J.

We concur: McKinster, Acting P.J., Gaut, J.

E019053 People v. Michael J. Coleman

Opinion

Judgment affirmed.

Ramirez, P.J.

We concur: Richli, J., Ward, J.

E018949 Dinesh H. Patel et al. v. E-Z Petroleum Marketing Co. of Ca.

Opinion

Judgment affirmed.

McKinster, J.

We concur: Ramirez, P.J., Hollenhorst, J.

Minutes August 18, 1998

No minutes for August 18, 1998.

Minutes August 19, 1998

E020215 Speigel Enterprises v. Robert D. Raney et al.

Respondent's petition for rehearing is DENIED.

E020069 People v. Jason P. Lund

Judgment affirmed.

Ward, J.

We concur: Ramirez, P.J., Richli, J.

E019258 Arthur Coltrain et al. v. Kim Shewalter et al.

Judgment affirmed in part, reversed in part with directions.

Richli, J.

We concur: Ramirez, P.J., Gaut, J.

E020519 People v. Manuel S. Magallon

Judgment affirmed.

Hollenhorst, J.

We concur: Ramirez, P.J., Richli, J.

Opinion

Opinion

Opinion

Opinion

Minutes August 20, 1998

E021540 People v. Xavier F. Hernandez

Opinion

Judgment affirmed.

Richli, J.

We concur: Ramirez, P.J., Ward, J.

E021102 People v. Fidel Estrada

Opinion

Judgment affirmed.

Richli, J.

We concur: Ramire, P.J., Ward, J.

E020514 George L. Martin, Inc. v. Anthony Caronna

Opinion

Judgment Reversed. Hollenhorst, Acting P.J.

I concur: Ward, J.

I concur by opinion: Gaut, J.

Minutes August 21, 1998

E020362 People v. Daniel S. Garcia

Opinion

Judgment affirmed.

Gaut, J.

We concur: Hollenhorst, Acting P.J., Richli, J.

Minutes August 24, 1998

No minutes for August 24, 1998.

Minutes August 25, 1998

E020256 People v. Thomas Edward Flores

Opinion

Judgment affirmed.

Ward, J.

We concur: Ramirez, P. J., Gaut, J.

E020026 Ernest Espinosa v. City of Ontario, et al.

Opinion

Judgment affirmed.

Ward, J.

We concur: Richli, Acting P.J., Gaut, J.

E020841 People v. Jeffrey B. Plumb

Opinion

Judgment affirmed. Hollenhorst, Acting P.J.

We concur: McKinster, J., Gaut, J.

Minutes August 26, 1998

E020592 People v. Eric T. Hill

Opinion

Judgment affirmed with directions.

Richli, J.

We concur: Hollenhorst, Acting P.J., McKinster, J.

E019117 Terry Keller et al. v. Truck Insurance Exchange

Opinion

Judgment affirmed.

Ramirez, P.J.

We concur: Richli, J., Gaut, J.

E019635 People v. Manta Management Corporation

Submission of above matter is vacated and Cause resubmitted as of this date.

McKinster, J.

We concur: Ramirez, P.J., Hollenhorst, J.

E021575 People v. Jose A. Catarino

Opinion

Judgment affirmed.

Ramirez, P.J.

We concur: Ward, J., Gaut, J.

E021815 People v. Thomas W. Beatty

Opinion

Judgment affirmed.

Ramirez, P.J.

We concur: Ward, J., Gaut, J.

E021401 People v. Billy G. Dodd

Opinion

Judgment affirmed.

Ramirez, P.J.

We concur: Ward, J., Gaut, J.

E021341 People v. Kenneth O. Rison

Opinion

Judgment affirmed.

Ramirez, P.J.

We concur: McKinster, J., Ward, J.

E022214 People v. Alfred C. Artis

Opinion

Judgment affirmed.

Ramirez, P.J.

We concur: Ward, J., Gaut, J.

Minutes August 27, 1998

E022096 People v. Thomas L. Marrujo

Opinion

Judgment affirmed.

Ramirez, P.J.

We concur: Ward, J., Gaut, J.

E022062 People v. Alvin Haynes, Jr.

Opinion

Judgment affirmed.

Ramirez, P.J.

We concur: Ward, J., Gaut, J.

E020927 People v. Jose R. Flores

Opinion

Judgment affirmed.

Ramirez, P.J.

We concur: Ward, J., Gaut, J.

Minutes August 28, 1998

E019238 Austin J. McGreal v. Bryant C. MacDonald

Opinion

Judgment affirmed.

Gaut, J.

We concur: McKinster, Acting P.J., Ward, J.

E020859 People v. Gary L. Morris

Opinion

Judgment affirmed with directions.

Gaut, J.

We concur: Hollenhorst, Acting P.J., McKinster, J.

E022268 People v. Joey Flowers

Opinion

Judgment affirmed.

Ramirez, P.J.

We concur: Ward, J., Gaut, J.

E020939 People v. Yolanda Salinas

Opinion

Judgment affirmed with directions.

Ramirez, P.J.

We concur: Ward, J., Gaut, J.

Minutes August 31, 1998

E021742 People v. Annemarie G.

Opinion

Judgment affirmed.

Richli, J.

We concur: Ramirez, P.J., Ward, J.

E021470 People v. Marco C.

Opinion

Judgment affirmed.

Richli, J.

We concur: Ramirez, P.J., Ward, J.